

MEMORANDUM

Agenda Item No. 6(B)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

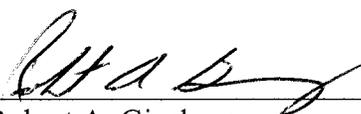
(Second Reading 02-01-05)

DATE March 16, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance abolishing the
Miami Lakes Parks and
Street Lighting Improvement
District

The accompanying ordinance was prepared and placed on the agenda at the request of
Commissioner Natacha Seijas.



Robert A. Ginsburg
County Attorney

RAG/jls



MEMORANDUM

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 1, 2005

FROM: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess".

SUBJECT: Ordinance abolishing the
Miami Lakes Parks and
Street Lighting Improvement
District

This ordinance abolishing the Miami Lakes Parks and Street Lighting Improvement District will have no fiscal impact on Miami-Dade County.

The Town of Miami Lakes took over the street lighting district responsibilities as a result of their incorporation.

Fiscal/002804



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 1, 2005

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(B)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 6(B)
02-01-05

ORDINANCE NO. _____

ORDINANCE ABOLISHING THE MIAMI LAKES PARKS AND STREET LIGHTING IMPROVEMENT DISTRICT; RESCINDING RESOLUTION R-8286; REPEALING ORDINANCE 79-112; DELETING LIMITATION ON PARK USAGE; REPEALING SECTION 26-2.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, the Miami-Dade County Home Rule Charter, Article I, Section 1.01.A.11, vests the Board of County Commissioners (hereinafter “the Board”) with the power to establish and abolish special purpose districts; and

WHEREAS, on January 22, 1963, the Board adopted Resolution R-8286 establishing the Miami Lakes Parks and Street Lighting Improvement District (the “District”) the boundaries of which were enlarged by Ordinance 79-112 enacted on December 4, 1979; and

WHEREAS, the Town of Miami Lakes was incorporated on December 5, 2000; and

WHEREAS, the Miami Lakes Parks and Street Lighting Improvement District is located entirely within the municipal boundaries of the Town of Miami Lakes; and

WHEREAS, the Miami Lakes Parks and Street Lighting Improvement District has not levied or collected any taxes or assessments in any fiscal year subsequent to the incorporation of the Town of Miami Lakes, and the Town has funded for District services through the annual municipal budget process; and

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WHEREAS, the Board desires to abolish the Miami Lakes Parks and Street Lighting Improvement District; and

WHEREAS, the use limitation affecting District park facilities would no longer be appropriate with the abolishment of the District to which it specifically applies,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The Miami Lakes Parks and Street Lighting Improvement District is hereby abolished. Resolution R-8286 is hereby rescinded in its entirety. Ordinance 79-112 and Section 26-2.1 of the Code of Miami-Dade County, Florida are hereby repealed in their entirety.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. A certified copy of this ordinance shall be filed with the Clerk of the Circuit and County Courts of Miami-Dade County, Florida and recorded in the Official Record Book.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

RA6

Robert A. Ginsburg

Sponsored by Commissioner Natacha Seijas